

REMARKS

Applicant has studied the Office Action of April 22, 2004 and offers the following remarks in response thereto.

Initially, Applicant amends claim 20 to correct a typographical error. No new matter has been added.

Applicant provides a brief summary of the present invention so that the remarks are considered in the proper context. The present invention is a system that allows a certain default sequence of call features to be selected for a group in response to a call event. The sub-groups within the group may modify this sequence of call features and set a sub-group default sequence. Individual members may modify the sub-group default sequence to further customize the sequence into a desired order. In an exemplary embodiment, the call event is a busy signal and the sequence of call features is call waiting and call forwarding. The group may decide that the default option on the sequence of call features (also called the feature queue) is that when a busy signal is detected, call waiting is invoked first, and then call forwarding is invoked. In contrast, an individual may not want the interruption of call waiting during a call and may define the default sequence for that individual to be that when a busy signal is detected, the call is automatically forwarded to voice mail. More complex queues are possible depending on the event detected and the number of features that are available to the group, sub-group, and individuals.

Claims 1-49 were rejected under 35 U.S.C. § 102(b) as being anticipated by McConnell. Applicant respectfully traverses. For the Patent Office to prove anticipation, the reference must show each and every element of the claim. Further, the elements of the reference must be arranged as claimed. MPEP § 2131.

The independent claims (1, 10, 15, 24, 33, 34, 37, and 45) each recite a feature queue. The Patent Office groups the independent claims into a single analysis and opines that "providing a feature queue for each of a plurality of entities, each feature queue defining a sequence to initiate call features associated with an event for call processing" is taught at McConnell, col. 4, lines 17-26. Applicant respectfully traverses this assertion. Applicant has studied col. 4, lines 17-26 of McConnell and finds no reference to anything that someone of ordinary skill in the art would consider to be a feature queue, even under a broad definition of that term. Col. 4, lines 17-26 states in full:

Accordingly, the present invention relates to methods and systems for controlling the provision of communication services over an identified group of communication lines assigned to one subscriber. The lines connect to a switched communication network having a plurality of switching offices. The subscriber inputs information defining criteria under which the subscriber wishes to offer communication services over the group of lines to one or more of the subscriber's customers. The input information is stored in a centralized . . .

Earlier, McConnell defines "subscriber" to be an entity which purchases communication services from a Telephone Company or other common communication carrier and defines a "customer" as a person who normally buys products or services from a subscriber. Thus, the passage describes how the subscriber (the purchaser from the Telephone Company) inputs information about what services can be provided to the customer. However, nothing in the passage describes any sort of order or queue in which the services are provided. To this extent, the reference does not show the recited feature queue and cannot anticipate the independent claims. Since the reference does not anticipate the independent claims, the reference cannot anticipate the dependent claims.

Some claims deserve special mention. Claim 10 recites a standard feature queue for an office; a group feature queue; and a subscriber feature queue. Even if McConnell shows a feature queue (a point which Applicant does not concede), the cited passage of McConnell does not show three different feature queues at the various levels recited in claim 10. Since McConnell does not show this feature, claim 10 is not anticipated. Claims 24 and 34 are system claims closely analogous to claim 10 and are likewise not anticipated. Claim 45 is a computer software claim closely analogous to claim 10 and is likewise not anticipated.

Claim 11 likewise recites "implement[ing] the call features in the sequence defined in an associated feature queue." As noted above, McConnell does not have any order associated with the communication services that the subscriber passes to the customer. As such, this claim element is not shown. Claims 25 and 35 are system claims closely analogous to claim 11 and are likewise not anticipated. Claim 46 is a computer software claim closely analogous to claim 11 and is likewise not anticipated.

In the analysis of claims 2, 16, and 38, the Patent Office provides a citation to several lines of McConnell, but does not indicate which column is being cited. Applicant requests clarification as to what column was being used. Applicant reserves the right to address this

clarification at a future date without prejudice, since it was the Patent Office's omission which led to the ambiguity.

The Patent Office, in its analysis of claims 3-6, 17-20, and 41 opines that defining the sequence to implement the call features for the feature queue is shown at McConnell, col. 4, lines 47-51. Applicant traverses. The cited passage describes defining an authorization code and limiting calls, but the sequence of the call features is not defined in the cited passage. Rather, the sequence is dictated by the Telephone Company, which is not one of the plurality of entities recited in the claim. To this extent, the reference does not teach the element for which it is cited.

Applicant attempted to schedule a telephonic interview with the Examiner to seek clarification as to what element was being interpreted as the feature queue. Applicant called on July 6, 2004 for this purpose. As of this writing, the Examiner has not been able to schedule a telephonic interview. In the event that one is scheduled, Applicant will supplement this response as appropriate based on such an interview.

Applicant requests reconsideration of the rejection in light of the remarks presented herein. McConnell does not show the recited feature queue and thus cannot anticipate the claims. Applicant requests claim allowance at the Examiner's earliest convenience.

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